(Translation)

## THE SECOND SCHEDULE.

(See section 4.)

From:

The Office of the Taluqdar of DISTRICT.

dated 13

F.

To

son of

resident of

A memorandum for Government demand prepared by the Taluqdar of

District, dated F. corresponding to 13 H., is sent to you with this notice, and, within two months from the date of receipt of this notice, you are required to pay the demand shown in the said memorandum or to file any objection to such payment; otherwise, after the expiry of the said period, recovery proceedings will be taken under section 4.

Signature of Taluqdar of the District.

(OFFICE SEAL).

ياس صجى ماتى بي - تم كولازم ب كرمطالد مندرجه ما دواشت مذركور تا دیخ وصول اطلاع نا مدخدا سے 1308 F: HYD. ACT IV] Government
Demands

(Translation)

# THE GOVERNMENT DEMANDS ACT.

No. IV of 1308 FASLL

#### Sections.

- 1. Short title, local extent and commencement.
- 2. Particulars of demands recoverable by this Act.
  - 3. Preparation of memorandum.
- 4. Copy of the memorandum to besent to the defaulter.
- 5. Objection regarding memorandum.
- 6. Suit in a civil court for setting aside the memorandum or order.
- 7. Procedure for recovery of Government demands also applicable to Sarf-i-khas demands.

First Schedule.

Second Schedule.

# فالول على المالي المرك

ا مخفرنام \_ وسعت مقامی \_ تا ریخ نفا ذ \_

ا تفیسل مطالبات جواس قانون کی روسے

وصول کئے جا سکتے ہیں 
ایدواشت کا مرتب کیا جانا

مفنی یا دواشت کا باحت را رکے بیس

مفنی یا دواشت کا باحت را رکے بیس

مفاول ایرے گا 
ایر محکم کا دعولی 
ایر مطالبات سرکاری کے دصول کرنیکا ضابطہ

1308 F: HYD. ACT IV] Government

Demands

(Translation)

## THE GOVERNMENT DEMANDS ACT.

No. IV of 1308 F.

(Received the assent of the Madarul Moham on the 14th Ardebehisht, 1308 F.)

Whereas it is expedient to facilitate the recovery of certain Government demands; It is hereby enacted as follows:—

This \*Act may be called The Government Demands Short title: Act, and shall come local extent into force in the whole and commenceof H.E.H. the Nizam's Dominions on the 1st Kurdad, 1308 Fasli. But nothing herein contained shall apply to the special orders issued before the passing of this Act, and to the recovery of land revenue and any sum in respect of which an express provision that it shall be recovered as land revenue is made in any law.

مختصرنام وسعت مقای - اینائم تا نون مطالبات اینائم تا نون مطالبات سیمانون مرکاری موسوم اوریم خور دا دست الدن سیمام مالک محروسه مرکاری موسوم اوریم خور دا دست الدن اسکی کوئی عبارت این خاص احرکام سیم حقیل منظوری قانون نداصا در نوک موسول اور نیزور ماگزاری کے اور کی این تیم کے وصول میں موت کا در این کی جا ہے تا اور این کی قانون میں موک دو میں گرا دی کے وصول کی جا ہے ۔ موک کو دو میں کہ دارے کے وصول کی جا ہے ۔

ے، مندرج جریده مورض ۲۳ راردی بهتنت مسلان

فی لون مرالیا سرکاری نشان (۲) برسلانی دوائه دارالهام بهادرسرکارهایی نے بنایخ ۱۱ رادالهام بهادرسرکارهایی برگاه قرین صلحت ہے کا معض مطالبات برگری کے دصول کرنے میں مہولت ہو ۔ ابندا حد فیل مکم ہوتا ہے :۔۔

<sup>\*</sup>Published in the Jarida dated 23rd Ardibehisht, 1308 F.

Government [ 1308 F: HYD. ACT IV Demands

2. In the following cases proceedings may be taken under this Act, unless there is any other law in force:—

- (a) When there is any debt, or any sum recoverable from any person by the \*[Government] under the express provision of any law, or any rule, or under an order issued as a rule before the passing of this Act;
- (b) When there is any security money recoverable by the \*[Government] from any lease-holder, contractor, purchaser at auction, or Government servant, or from his; surety;
- (c) When there is recoverable from any person any sum in respect of which such person has made an agreement with the \*[Government] in writing that the \*[Government] may recover it under the provisions of this Act;

Explanation.—In this section the word "debt" includes only the sum advanced as loan by the \*[Government] to any person or towards the payment of any person's debt with his consent before the passing of this Act.

Preparation of memorandum.

When there is recoverable from any person any sum of the nature mentioned in section 2, the Taluqdar of the District in

قا لذن مطالبات سركارى نشان دى، من الدات

روسے وصول سے جاسکتے ہیں۔ صورتوں میں اس قانون کی روسے کا روائی کی جاسکتی ہے۔ بہجزاس کے کہ کوئی اور تا نون موجو دہو۔

دالف، - جبکتی میرکوئی قرصنه یا کوئی قرم قا او ن کے صریح کا کی یا کسی قاعده یا ایسے کم کی روسے جو بطور قاعد قبل نظوری قانون نداجا ری ہوا ہو بحق مرکار عالی واجب الوصول ہو۔

دب، جب ته تعبد دار ما گنه دار باستریدار نیلام یا ملازم سرکاری یا اُک کے ضامن سے کوئی زر ضمانت تی مرکار تا کی داجب اوصول ہو۔

رج > حب بشخص سے کوئی ایسی زم داجلیجالا بهوجس کی پایت اسٹخص نے تقریبًا مرکا رہا کی سے بہ اقرار کیا بہوکہ سرکا رہا کی اس کوحسب حکام فالون ندا وصول کر سکر گا ہ

نستنمایی و اس و نعه کے معنی میں لفظ قرصد میں صرف وہ رقم واخل ہوگی جو مرکارتا کی نے کشیخص کو باکسی مشخص کی رہا مندی سے اُسکے قرضہ کی اوائی کے واسطے متن منطور مبا ولا کے دی ہو۔ میا و واسٹ کامرتب کیا جانا۔ او فعر مسل ر جب کی تخص سے کو دئی رقم ازا قدام متذکرہ و فعہ ما واجب الوصول سے کو دئی رقم ازا قدام متذکرہ و فعہ ما واجب الوصول

<sup>\*</sup> As amended by Act No. III of 1308 F.

ه ترميم موحب تعرب معنوده ، قان ن نشان مرمسلات

which such person resides or in which such sum is recoverable shall prepare a memorandum in the form set forth in the first Schedule specifying the reasons therefor and shall sign it and affix the office seal to it. Such memorandum shall be deemed to be a decree by a Court against that person in favour of the \*IGovernment.] The Talugdar may recover the demand mentioned in the memorandum in accordance with the procedure relating to the execution of decrees, and shall be deemed to be a court for the purposes of the recovery proceeding: and all provisions relating to the proceedings in the passing of decrees shall apply to such proceeding.

(1) After a memorandum referred to in section 3 has Copy of been prepared a copy memothereof shall, through a randum to be notice in the form set sent to defaulter. forth in the second Schedule, be sent to the person from whom the sum is recoverable. But such memorandum shall not be executed until two months from the date of service of the notice, or, if an objection has been filed, until such objection has been determined. But if the Taluqdar is satisfied by a statement on oath or evidence that such person intends to transfer or encumber his property with a view to prevent or delay the realization of the Government demand, he may, before the expiry of the prescribed period or the determination of the objection,

قا بذن مطالبات سرکاری نشان دیم به مشترات

بدما بندى مندا بعلم تعلقه اجمرائي وكرى وم او تکاروا کی وصول کے داسطے عدالت متصور توگااورکل لق کارواتی اج ائے ڈکری کے اس کاروائی

ے ترمیم محد جدی فعراضمن (9) قانون فنان (س) مرسال

<sup>\*</sup> As amended by Act No. III of 1308 F.

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(Translation)

attach his property, after recording the reasons therefor, in the manner in which attachment is affected before judgement.—

- (2) If no property belonging to such person is situate within the local limits of jurisdiction of the Taluqdar who has prepared the memorandum such memorandum shall be sent for execution to the Taluqdar of the District within the local limits of whose jurisdiction any property belonging to such person is situate. Such Taluqdar may execute such memorandum in the same manner as if he himself had prepared it.
  - After service of notice as also before such service if the Objection person in any way be inregarding . formed of the preparation memoof a memorandum, he randum. shall file his objection before the Taluqdar who has prepared the memorandum. The Taluqdar shall, after hearing the objection and taking such evidence as may be produced by such person and making necessary inquiry, pass an order for thememorandum to stand or to be modified or set aside, and for the costs of the inquiry. The Taluqdar shall, for the summoning of witnesses and for making inquiry, have all the powers which a Civil Court has civil surits in respect of such matters.

6. If such person is aggrieved by such order, he may institute a suit against the \*[Government] in the Court of the District Judge for setting aside the order or for the refund of the sum rea-

قا نون مطالبات سركارى نشان (٧ ) معسله

تصيفه غذرتعلفتدا بريتح بروحوه اس كي جائدا د كواسي د مین اگرانس تعلقهٔ ارکی *حدو*دا منی.

<sup>\*</sup>As amended by Act No. III of 1308 F.

## 1308 F: HYD. ACT IV] Government Demands (Translation)

lized in execution of the memorandum within one year from the date of the order or of the memorandum or of the realization of the sum, as the case may be, if no order is passed within

may be, if no order is passed within one year from the date of the objection. But if such District Judge is the Taluqdar himself, such suit shall be instituted in the Court of the Divisonal Judge, and it may also be heard by the Assistant Divisional Judge. The Court may pass such order as it may deem proper and may, at any time before the execution of the memorandum or order, make an order for

same conditions as would apply to an Appellate Court in appeal regarding staying of execution of judgment under appeal.

the stay of execution subject to the

\*[7. The Procedure for the recovery of Government demands also applicable to Sarf-i-khas demands.

The procedure for the recovery of Government demands, laid down in the foregoing sections, shall also apply to such demands of the Sarfi-Khas as are of the nature specified in section 2.]

جونتمسل ما ذ داشت وصول كراما گيا مهويا دا گرتايخ غارُ سے ایک سال کے اندر کوئی حکم نہ دیاجا سے تو ) اس صلعیں بدمفایله مرکا رعالی دعولی کرسکتا سیسکنک اگر اس عدالت ضلع كاناظم خو د تعلقدار موتوا بسادعو كي صدر عدالت ميں رحوع كياجائے كا اوراس كى ساعت مركار صدرعدا لتصى كربيك كاورعدا لت كوأحتما ربوكاكرحو تجويز مناسب موصا دركرسا ونزانعميل باد داشد دے جو عدالت مرا نورکو بسیغهم مسيح يمعلن بتوكاجوا النتم كيبول جن كى دفعہ ۲ میں کی گئی سے

ے ۔ ترمیم بموجب فعد م من (۹) قانون نشان م میسلات لے ۔ ترمیم بموجب دفعہ م قانون نشان (۱۰) معلم الم

<sup>\*</sup> Amended by Act No. III of 1322 F.

Government [ 1308 F: HYD. ACT IV Demands

· (Translation)

## THE FIRST SCHEDULE.

Particulars of the demand :-

The abovementioned sums are recoverable under the Government Demands Act.

Signature of Taluqdar of the District.

(OFFICE SEAL)

in the same

مممر ول

د کیجو ذیب سے
بین تعلقدا رضلع به ذریعه اس یا دوا
کے تجو برکرتا ہوں کہ سمی دلد
ساکن کے دمہ مطالبہ سرکا ری حسب
تفضیل دیل واجب الا دا ہے ۔
تفضیل مطالب

رقوم ندكوره بالاحسب قانون مطالبات سركارى واجب الوصول بيس -دستخط تعلق التعلق

مهرمحكم